

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

ANTOINETTE Y. SULLIVAN,

Plaintiff,

v.

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

No. 2:24-cv-00016-AC SS PS

ORDER GRANTING IFP AND  
DIRECTING E-SERVICE

Pending before the court is plaintiff's motion for leave to proceed in forma pauperis. See 28 U.S.C. § 1915 (authorizing the commencement of an action "without prepayment of fees or security" by a person that is unable to pay such fees).<sup>1</sup> ECF No. 2. Plaintiff submitted the required affidavit, which demonstrates an inability to prepay fees and costs or give security for them. Plaintiff also submitted a "First Amended Complaint" which appears unrelated to this social security action. ECF No. 3. Accordingly, IT IS HEREBY ORDERED that:

1. The First Amended Complaint at ECF No. 3 is STRICKEN as unrelated to the SSI determination referenced in the initial complaint;
2. Plaintiff's request to proceed in forma pauperis (ECF No. 2) is GRANTED;
3. The Clerk of Court is directed to issue a summons for this case;

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<sup>1</sup> Actions involving review of Social Security decisions are referred to a magistrate judge pursuant to 28 U.S.C. § 636(b)(1) and E.D. Cal. L.R. 302(c)(15).

1       4. In keeping with the court's e-service procedure for Social Security cases,<sup>2</sup> service  
2       on the defendant Commissioner of Social Security Administration shall proceed  
3       under the court's E-Service program as follows. Once a summons is issued, the  
4       Clerk of Court shall deliver to the Commissioner of Social Security  
5       Administration and the United States Attorney's Office at their designated email  
6       addresses a notice of electronic filing of the action along with the summons and  
7       complaint. The Commissioner has agreed not to raise a defense of insufficient  
8       service of process if provided with notice of a complaint as detailed in this order.  
9       This order is not intended to prevent parties from making any other motions that  
10      are appropriate under the Federal Rules of Civil Procedure; and

11      5. The Clerk of Court is DIRECTED to issue a scheduling order in this case.

12      IT IS SO ORDERED.

13      DATED: January 30, 2024

14        
15      ALLISON CLAIRE  
16      UNITED STATES MAGISTRATE JUDGE

27      2 <http://www.caed.uscourts.gov/caednew/index.cfm/news/new-social-security-case-procedures-effective-after-june-15-2021/>